



PATENTS

IN THE U.S. PATENT AND TRADEMARK OFFICE

Patent Application of: **HOLADAY ET AL.**

Docket No. 05213-0077 (43170-296614)

Serial No. **10/799,163**Filed: **March 12, 2004**For: **METHODS AND COMPOSITIONS FOR TREATING CANCER AND
HYPERPROLIFERATIVE DISORDERS****RESPONSE TO NOTICE TO FILE MISSING PARTS – FILING DATE GRANTED**

Attention: Mailstop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are papers in the above-identified application.

- ☒ Formalities Letter – Notice to File Missing Parts of Application – Filing Date Granted.
- ☒ Declaration and Power of Attorney (4 pages).
- ☒ Submission of Statement to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures; paper copy of Sequence Listing and computer diskette.
- ☒ Information Disclosure Statement; PTO/SB/08; cited references.
- ☒ The additional fee is calculated as shown below.
- ☒ Applicant claims small entity status.

| | | | SMALL ENTITY | | OTHER THAN SMALL ENTITY | |
|---|-----------|-----------|--------------|-----|----------------------------|-----|
| FOR: | NO. FILED | NO. EXTRA | RATE | FEE | RATE | FEE |
| BASIC FEE | | | \$385 | | \$770 | |
| TOTAL CLAIMS | - 20 = | x9 = | | | x18 = | |
| INDEP. CLAIMS | - 3 = | x43 = | | | x86 = | |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED | | | +145 = | | +290 = | |
| <input checked="" type="checkbox"/> LATE-FILEING SURCHARGE | | | +65 = | 65 | +130 = | |
| <input type="checkbox"/> FOREIGN LANGUAGE SURCHARGE | | | +130 = | | +130 = | |
| <input type="checkbox"/> OTHER | | | | | +435 = | |
| TOTAL | | | \$65 | | TOTAL | |

- ☒ A check in the amount of \$65 is attached to cover the late filing surcharge.
- ☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16, or credit any overpayment, to Account No. 11-0855. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with
the United States Postal Service as first class mail in an envelope
addressed to: Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, on August 13, 2004

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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/799,163 | 03/12/2004 | John W. Holaday | 05213-0077 (296614) |

CONFIRMATION NO. 8159

FORMALITIES LETTER



OC000000012946184

23370
 JOHN S. PRATT, ESQ
 KILPATRICK STOCKTON, LLP
 1100 PEACHTREE STREET
 SUITE 2800
 ATLANTA, GA 30309

Date Mailed: 06/15/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

08/17/2004 WBELETEL 00000003 10799163
 65.00 DP
 01 FC:2051

- For Rules Interpretation, call (703) 308-4216
- To Purchase Patentin Software, call (703) 306-2600
- For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

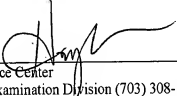
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*



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PART 2 - COPY TO BE RETURNED WITH RESPONSE